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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 WONDIYRAD KABEDE,

No. C 10-2584 TEH (PR)

12 Plaintiff,

13 v.

ORDER OF DISMISSAL

14 JOHN DOE,

15 Defendant.
16 _____/

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18 On June 11, 2010, Plaintiff, a prisoner presently
19 incarcerated at Pelican Bay State Prison and frequent litigant in
20 both state and federal court, filed a letter with the Court. Doc.
21 #1. The Court Clerk notified Plaintiff in writing at that time that
22 because he neither filed a formal civil rights complaint under 42
23 USC § 1983 using the court-approved form nor did he pay the
24 requisite \$ 350.00 filing fee or, instead, submit a signed and
25 completed court-approved in forma pauperis application, including a
26 completed certificate of funds in his prison account and a copy of
27 his prison trust account statement for the last six months obtained
28 from the appropriate prison official, the action was deficient.

1 See 28 U.S.C. § 1915(a)(2). Plaintiff was advised that failure to
2 file the requested items within thirty (30) days would result in
3 dismissal of the action. Doc. ## 2 & 3.

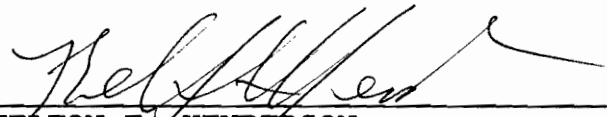
4 Over forty (40) days have elapsed since Plaintiff was
5 notified of his filing deficiencies; however, he has neither
6 provided the Court with the requisite items nor filed a request for
7 an extension of time to do so. The action, therefore, is DISMISSED
8 without prejudice.

9 The Clerk is directed to terminate all pending motions as
10 moot and close the file.

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12 IT IS SO ORDERED.

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15 DATED

7/22/10


THELTON E. HENDERSON
United States District Judge